



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

# 10-22-23  
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In re Patent Application of

Lerner

Atty. Ref.: 4230-5; Confirmation No. 9018

Appl. No. 10/051,817

Group: 1615

Filed: January 18, 2002

Examiner: Azpuru

For: **METHOD AND APPARATUS FOR ENHANCED AND CONTROLLED DELIVERY OF  
A BIOLOGICALLY ACTIVE AGENT INTO THE CENTRAL NERVOUS SYSTEM OF  
A MAMMAL**

\* \* \* \* \*

September 22, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

Responsive to the Official Action of September 8, 2003 and the requirement for restriction presented in it, applicants elect the subject matter of Group I, namely claims 1-10, 21-24, 26, 28 and 30. This response is made without traverse.

Please examine the elected claims taking into account the Information Disclosure Statement filed September 22, 2003. An examination on the merits is awaited.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

Arthur R. Crawford  
Reg. No. 25,327

ARC:eaw  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pre Patent Application of

Atty Dkt. 4230-5

C# M#

Lerner

Serial No. 10/051,817

Group Art Unit: 1615

Examiner: Azpuru

Filed: January 18, 2002

Date: September 22, 2003

Title: METHOD AND APPARATUS FOR ENHANCED AND CONTROLLED DELIVERY  
OF A BIOLOGICALLY ACTIVE AGENT INTO THE CENTRAL NERVOUS SYSTEM  
OF A MAMMAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 31 minus highest number  
previously paid for 31 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 9 minus highest number  
previously paid for 9 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 0.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☒ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: Information Disclosure Statement, PTO-1449, references; Copy of Appointment/Associate Power of Attorney 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
ARC:eaw

NIXON & VANDERHYE P.C.  
By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: 